

**RESOLUTION ADOPTING A NEGATIVE DECLARATION
FOR A SITE PLAN AND SPECIAL USE PERMIT APPLICATION**

*Silver Stream Mobile Home Park Office
with Caretaker Apartment
PB # 07-10*

WHEREAS, an application was made to the Planning Board of the Town of New Windsor for approval of a site plan and special use permit by Silver Stream Mobile Home Park (the "applicant") for a project described as the "Silver Stream Mobile Home Park Office with Caretaker Apartment";

WHEREAS, the subject site consists of 0.23 acres of land and comprised of one tax map parcel in the Town of New Windsor identified on the tax map as section 33, block 2, and lot 3 (SBL 33-2-3); and

WHEREAS, the action involves a request for a site plan approval and special use permit for an office and caretaker apartment; and

WHEREAS, the applicant has submitted a fully executed short form Environmental Assessment Form ("EAF") pursuant to the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the Planning Board conducted an uncoordinated SEQRA review for this project; and

WHEREAS, during the course of the Planning Board's review of the Applicant's proposed site plan layout, the Planning Board received and considered correspondence from the public as well as the Town's consultants; and

WHEREAS, a duly advertised public hearing on the application for site plan and special use permit approval was held on June 11, 2008 at which time all those wishing to be heard were given the opportunity to heard; and

WHEREAS, on June 11, 2008 the public hearing on the application for site plan and special use permit approval was closed; and

WHEREAS, the application and related materials were submitted to the Orange County Planning Department ("OCDP") for its review pursuant to the requirements of the General Municipal Law § 239-m, and to date the OCDP has not responded although the statutory 30 day period has expired; and

WHEREAS, the Planning Board has carefully considered all of the comments raised by the public, the Board's consultants, and other interested agencies, organizations and officials, including those presented at numerous meetings of the Board as well as those submitted separately in writing; and

WHEREAS, the applicant has submitted a proposed site plan consisting of two sheets, prepared by Lanc & Tully Engineering and Surveying, P.C. dated January 31, 2005 and last revised on May 9, 2008; and

WHEREAS, the Planning Board has determined that the Proposed Action minimizes or avoids significant environmental impacts and, therefore, the accompanying Negative Declaration is hereby adopted as part of the approval of site plan and special use permit.

NOW, THEREFORE, be it resolved as follows:

1. The Planning Board is lead agency for an uncoordinated review of this action;
2. This is an Unlisted Action for SEQRA purposes;
3. The EAF submitted by the applicant has been fully reviewed and considered by the Planning Board;
4. Having reviewed with due care and diligence the EAF submitted by the applicant, the application herein and all pertinent documentation and testimony received at the public hearing, it is determined that the proposed action will not have, nor does it include, the potential for significant adverse environmental impacts;
5. The Planning Board hereby adopts the SEQRA "Negative Declaration" annexed hereto.

Upon motion made by Member Van Liewen, seconded by Member Schlesinger, the foregoing resolution was adopted as follows:

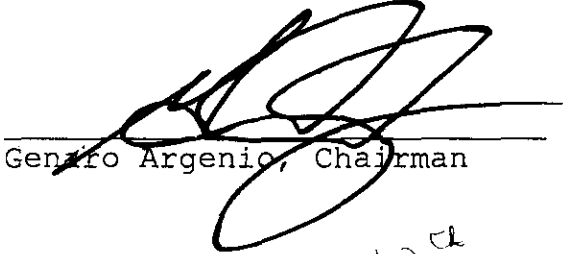
Member, Daniel Gallagher	(Aye)	Nay	Abstain	Absent
Member, Howard Brown	(Aye)	Nay	Abstain	Absent

Member, Neil Schlesinger	<u>Aye</u>	Nay	Abstain	Absent
Member, Henry Vanleeuwen	<u>Aye</u>	Nay	Abstain	Absent
Chairman, Genaro Argenio	<u>Aye</u>	Nay	Abstain	Absent

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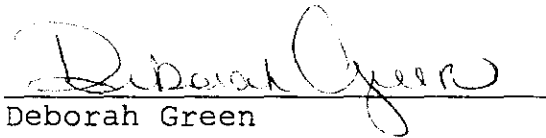
Alternate, Henry Schieble	Aye	Nay	Abstain	<u>Absent</u>
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Dated: June 11, 2008
New Windsor, New York



Genaro Argenio, Chairman

Filed in the Office of the Town Clerk on this 12th day
of June, 2008.



Deborah Green
Town Clerk

**TOWN OF NEW WINDSOR PLANNING BOARD
COUNTY OF ORANGE**

NEGATIVE DECLARATION

*Silver Stream Mobile Home Park Site Plan and Special Use
Permit for Office with Caretaker Apartment
PB # 07-10
(S-B-L: 33-2-3)*

PLEASE TAKE NOTICE that, according to the provisions of Article 8 of the Environmental Conservation Law and the New York Code of Rules and Regulations Part 617, the Town of New Windsor Planning Board has adopted a Negative Declaration for the project named below. The Planning Board is serving as Lead Agency for this Unlisted Action, for an Uncoordinated review of this Unlisted Action.

Name of Project: Silver Stream Mobile Home Park Site Plan and Special Use
Permit for Office with Caretaker Apartment
Action Type: Unlisted Action; Uncoordinated Review
Location: Town of New Windsor, County of Orange
Location: 9 Bivona Lane
Zoning District: NC
Tax Map Parcel: 33-2-3

Summary of Action:

The action involves a request for site plan and special use permit approval for the conversion of a single family residence to an office with an attached caretaker apartment on one lot located in the NC District in the Town of New Windsor. The applicant proposes to construct a 300 square foot office with an attached caretaker's apartment.

Reasons Supporting the Negative Declaration:

Based on its consideration of the available information, the Planning Board finds there would be no significant adverse environmental effects associated with granting site plan and special use permit approval.

The site plan layout is considered to comply with all currently existing zoning requirements and municipal plans for the Town of New Windsor, and is consistent with the community character. Neither solid waste generation, energy consumption, stormwater impacts, nor public service demands would be significant or excessive with the construction of the proposed office building. No other potentially significant harmful environmental impacts are identified.

Date of Adoption of Negative Declaration: June 11, 2008
Agency Address: Town of New Windsor Planning Board
Town Hall – 555 Union Avenue
New Windsor, New York 12553
Tel. (845) 563-4615
Contact Person: Genaro Argenio, Planning Board Chairman